

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**
Wednesday, April 18, 2001 – 2:00 p.m. – Room 414/416 State Capitol

Members Present:

Sen. D. Chris Buttars, Chair
Rep. DeMar "Bud" Bowman, Chair
Sen. John W. Hickman
Sen. Pete Suazo
Sen. John L. Valentine
Rep. Douglas C. Aagard
Rep. Trisha S. Beck
Rep. Duane E. Bourdeaux
Rep. Patricia W. Jones
Rep. Rebecca D. Lockhart
Rep. Ty McCartney
Rep. Loraine T. Pace
Rep. Brent D. Parker
Rep. Paul Ray
Rep. Jack A. Seitz
Rep. Matt Throckmorton

Members Absent:

Sen. Gene Davis

Staff Present:

Ms. Chyleen A. Arbon, Research Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Alicia Gambles, Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Committee Business

Chair Buttars called the meeting to order at 2:35 p.m.

MOTION: Sen. Hickman moved to approve the minutes of the November 15, 2000 meeting. The motion passed unanimously, with Sen. Davis, Sen. Suazo, and Rep. Pace absent for the vote.

2. Department of Corrections – New Director Introduction

Mr. Mike Chabries, Executive Director, Department of Corrections, presented an overview of the areas that the Department of Corrections will focus on this year. He indicated that the department's strategy is threefold: investing in its employees, keeping its institutions and the communities safe, and helping offenders succeed. Mr. Chabries stated that many offenders can be managed in the community in a more cost effective way than by incarceration, without increasing the risk to the public. He indicated that an ongoing challenge for the department is housing physically disabled persons.

Rep. Bourdeaux requested that the Department of Corrections return to educate the committee regarding some of the challenges the department faces in managing inmates.

3. Master Study Resolution – Study Item Prioritization

The committee discussed potential study items for the 2001 Interim. Chair Buttars requested that each committee member complete a survey and rank each study item in order of importance.

Rep. Throckmorton requested that the committee study incremental sentencing similar to minimum mandatory sentencing.

Mr. Mike Sibbett, Chair, Board of Pardons and Parole, stated that the Utah Sentencing Commission was first established to look at the minimum mandatory sentencing issue. He indicated that the commission has resisted minimum mandatory type sentences because Utah already has a very conservative sentencing system. He stated that when career criminals come up for parole, they have a very difficult time gaining release. But when non-predatory criminals come up for parole, the board has the option of paroling them based on the state's indeterminate sentencing system. Mr. Sibbett suggested that the committee involve the commission when discussing this issue.

Rep. Beck asked if the youth competency standards issue was related to the youth services study item and if youth competency standards could be studied as part of the youth services issue.

Ms. Robin Arnold-Williams, Executive Director, Department of Human Services, explained that currently the Division of Child and Family Services has three areas of responsibility: child abuse and neglect, domestic violence, and youth services. She indicated that the department is concerned that the youth are not being provided adequate services at the youth services stage prior to entering youth corrections. She also noted that state law does not provide for juvenile competency standards for youth to proceed in the adjudication process and that the competency issue is a separate issue from the youth services issue.

Rep. Beck requested that the committee study competency standards for juveniles to proceed in the adjudication process.

Mr. Blake Chard, Director, Division of Youth Corrections, indicated that a good strategy of intervention has already been developed for dealing with serious habitual youth offenders and that the Legislature should consider looking toward the Balanced and Restorative Justice Model, which has been proven to be successful in diverting less serious youth offenders from further crime.

Mr. Lynn Nelson, Salt Lake County Division of Youth Services, stated that over 6,000 youth are admitted to the division's services in Salt Lake County alone and that the division feels very strongly that more emphasis needs to be placed on youth at an early stage in order to help divert them from becoming part of the juvenile justice system.

Rep. McCartney requested that the committee add Item 121, “Uniform Law Enforcement Database,” to the prioritization list. He indicated that this item would study the creation of a uniform database that would contain all arrest, case information, and records throughout first and second class counties and would be accessible by law enforcement entities in each county. He explained that currently each law enforcement agency has a separate records management system which cannot be accessed by other law enforcement entities. He noted that having a uniform database would benefit public safety by increasing the efficiency of each law enforcement agency.

MOTION: Rep. Ray moved to combine study Item 117, “Police and Fire Consolidation,” and study Item 121, “Uniform Law Enforcement Database,” for prioritization purposes. The motion passed unanimously, with Sen. Davis, Sen. Suazo, and Rep. Pace absent for the vote.

4. Other Items / Adjourn

MOTION: Rep. Seitz moved to adjourn the meeting. The motion passed unanimously, with Sen. Davis, Sen. Hickman, and Rep. Throckmorton absent for the vote.

Chair Buttars adjourned the meeting at 4:15 p.m.

